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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/590,532	08/24/2006	Marc Chase Weinstein	6MW01P/US	9770
25894 7590 01/28/2008 LAWRENCE EDELMAN, ESQ 3 BUFFALO RUN EAST BRUNSWICK, NJ 08816			EXAMINER LEA EDMONDS, LISA S	
			ART UNIT 2835	PAPER NUMBER
			MAIL DATE 01/28/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time-period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/590,532	Applicant(s) WEINSTEIN ET AL.	
	Examiner Lisa Lea-Edmonds	Art Unit 2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1,2 and 7-11 is/are rejected.
- 7) ☒ Claim(s) 3-6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>08/24/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 08/24/06 was considered by the examiner.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, and 7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nobuchi et al. (6034866) in view of Terriss et al. (5964823). With respect to claims 1, 8 and 9, Nobuchi et al. teaches a device assembly which includes at least one component which can benefit from protection, the assembly comprising: a housing (10) for the device, a component (11) on the housing (10), a protective cover panel (20) slidably mounted respect to the housing (10) and moveable between first and second positions relative to the housing (10) so as to selectively provide a protective cover over, or access to, the component (11), and an area (30) positioned adjacent the cover panel), wherein when the cover panel (20) is in the first position it is aligned with the component (11) so as to form a protective cover over the component (11), and as the cover panel (20) is moved from the first position to the second position, the component (11) is progressively more accessible to the user of the device, and the area (30) is progressively moved so as to extend past the housing of the device, wherein the device

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comprises an electronic device, wherein the electronic device comprises a calculator and the component (11) comprises a display portion of the calculator. However, Nobuchi et al. lacks a teaching of the area including an image as claimed. The apparatus of Terriss et al. is relied upon for its teaching of an image (36) as claimed. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the image (36) of Terriss et al. to be incorporated into the area (30) of Nobuchi et al. to provide a more pleasing appearance for the device. With respect to claim 2, Nobuchi et al. in view of Terriss et al. teaches the area (30) comprises a substrate (40) including an image (36), which image (36) is visible to the user when the cover panel (30) is in the second position, but when the cover panel (30) is in the first position, the image (36) from that substrate (40) is positioned behind a further portion of the device housing (10) and thereby hidden from the view of the user. With respect to claim 7, Nobuchi et al. in view of Terriss et al. teaches the invention as set forth by claim 1, however, Nobuchi et al. in view of Terriss et al. lacks a teaching of a further image as claimed. It would have been obvious to one of ordinary skill in the art at the time the invention was made provide multiple images as it has been held that a mere duplication of part is routine in the art. With respect to claim 10, Nobuchi et al. in view of Terriss et al. teaches the invention as set forth by claim 1, however, Nobuchi et al. in view of Terriss et al. lacks a teaching of a storage compartment as claimed. It would have been obvious to one of ordinary skill in the art at the time the invention was made provide the user with a storage compartment to carry extra batteries or store a power cable. With

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respect to claim 11, Nobuchi et al. in view of Terriss et al. teaches the method steps as claimed, see the claims above.

Allowable Subject Matter

3. Claims 3-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: as to claim 3, patentability resides, at least in part in, the cover panel is in the first position, the area (18) forms a viewing window which provides to the user a view of a further image that is positioned on the further portion of the device housing, as to claims 4 and 5, patentability resides, at least in part, in the area (18) comprises a slidable device coupled with the cover panel (14), the slidable device including first and second image substrates (24, 26) positioned relative to the housing so as to be moveable in conjunction with movement of the cover panel (14), said first and second image substrates being configured so that a combined image from both substrates is visible when the cover panel is in the second position, but only the image from one substrate is visible to the user in the area (18) when the cover panel is in the first position, as to claim 6, patentability resides, at least in part in, the first image being printed on an outside facing portion of the housing that is adjacent to the component, so that when the cover panel (14) is in the first position the first image is aligned with the area (18), and when the cover panel (14) is moved toward the second position, a second is

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progressively revealed in area 18 in coordination with the movement of the cover panel (14) as claimed and in combination with all of the other limitations of the base claim(s).

Conclusion


4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please note the teaching of the prior art listed on the enclosed PTO form 892. It is noted the applicant's have a related applicant (11/608,844).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Lea-Edmonds whose telephone number is 571-272-2043. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jayprakash N. Gandhi can be reached on (571) 272-2800, ext 35. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Lisa Lea-Edmonds
Primary Examiner
Art Unit 2835

2008-01-22